

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

City of Chicago,

Plaintiff,

v.

DoorDash, Inc. and Caviar, LLC,

Defendants.

Civil Action No. 1:21-cv-05162

Hon. Jeremy C. Daniel
Magistrate Judge Jeffrey T. Gilbert

JOINT STATUS REPORT

Pursuant to this Court's orders dated December 23, 2022 (ECF No. 90) and December 19, 2022 (ECF No. 87) directing the parties to file a status report seven days after each rolling production deadline to provide information about the last rolling production, what has been produced to date in total, and what remains to be produced, the parties hereby file this Joint Status Report concerning the January 12, 2024 production deadline.

I. Status of the City's Document Productions

A. Documents Produced by the City To Date

As of January 12, the City has produced 6,932 documents, totaling 54,741 pages, in rolling productions. The City's prior productions are described in more detail in the January 20, February 10, March 3, March 24, April 14, May 5, May 25, June 16, July 7, July 28, August 18, September 8, September 29, October 20, November 10, December 8 and December 29 joint status reports (ECF Nos. 96, 101, 105, 109, 115, 151, 164, 174, 194, 200, 202, 216, 230, 234, 242, 246, 249).

The City made additional productions on December 29 and January 5. The City's December 29 production contained 400 documents and 3,075 pages. The City's January 5 production contained 3 documents and 9 pages, and its January 12 production contained 3,255 documents and 37,833 pages. The December 29 and January 12 productions contain documents responsive to RFP No. 30 (documents on which the City may rely at trial) and potentially other requests. The January 5 production contains documents responsive to RFP No. 64 (contracts the City has entered into with Cohen Milstein).

B. Remaining Documents to be Produced

On January 12, DoorDash served an additional set of RFPs (Nos. 107-115), to which the City is in the process of responding. The City is also in the process of confirming whether there are relevant documents responsive to RFP No. 89. The City continues to review its overall production for completeness. The City is in the process of compiling a privilege log, and it will meet and confer with DoorDash regarding any perceived inadequacies in that log.

II. Status of DoorDash's Document Productions

A. Documents Produced by DoorDash to Date

On January 12, 2024, DoorDash produced 210 documents, comprising 1,060 pages. With this production, DoorDash has substantially completed production of custodial documents pursuant to the Court's November 6, 2023 Order on the City's Motion to Compel, ECF No. 241. Since August 2022, DoorDash has produced a total of 7,072 documents and 36,236 pages across 23 productions. The documents produced to date include:

- Custodial documents responsive to the City's document requests as to minimum amount promotional discounts, non-partner restaurants, Dasher pay, consumer fees, and menu pricing;

- Documents identified in known non-custodial locations;
- Documents identified from DoorDash's review of documents produced in related investigations and litigations;
- Spreadsheets that were created in order to respond to the City's requests for specific data.

These productions are responsive to more than two dozen of the City's requests, including but not limited to RFP Nos. 1-10, 12-17, 19-20, 25-27, 29-30, 32, 37-39, 43-45, 49, 52, 53-55, and 62-63 and Interrogatory No. 8.

B. Remaining Documents to be Produced

DoorDash has substantially completed the production of custodial documents responsive to the portions of DoorDash's custodial search methodology previously agreed upon by the parties and addressed by the Court's November 6 Order, with the exception of a few document families where DoorDash is working through technical issues relating to production. At the next rolling production deadline, DoorDash intends to produce documents related to RFP No. 61.

As to data requested by the City, DoorDash has undertaken significant efforts to create spreadsheets containing data responsive to the City's requests, even though many of the documents that the City requests do not exist and are not kept in the ordinary course of business. DoorDash also continues to investigate whether additional data responsive to the City's requests exists and can be produced, including orders placed by daily website visitors in Chicago. DoorDash will continue to make rolling productions of these materials on the three-week schedule agreed-upon by the parties.

DATED: January 19, 2024

Respectfully submitted,

**CITY OF CHICAGO DEP'T OF LAW,
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